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Filing date: **06/05/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184213
Party	Plaintiff Galaxy Metal Gear, Inc.
Correspondence Address	Jen-Feng Lee WorldEsquire Law Firm LLP 80 South Lake Avenue, Suite 708 Pasadena, CA 91101 UNITED STATES jflee@worldesquire.com, ktanji@worldesquire.com
Submission	Other Motions/Papers
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Date	06/05/2009
Attachments	galaxy-pretrial disclosures.pdf (5 pages)(307584 bytes)

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
2 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

3
4 In the matter of Application Serial No.: 78914975

5 Filed: 6/22/2006

6 Mark: METAL GEAR

7 GALAXY METAL GEAR, INC.,

Opposition No.: 91184213

8 Opposer,

9 vs.

10 DIRECT ACCESS TECHNOLOGY, INC.

Action filed: May 20, 2008

11 Applicant.

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14 **OPPOSER'S PRETRIAL DISCLOSURES**

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16 Pursuant to 37 CFR Part 2 of the Code of Federal Regulations, Opposer, Galaxy Metal
17 Gear, Inc. ("Galaxy" hereinafter), by its attorneys of record, hereby provide the following
18 pretrial disclosures. Galaxy reserves its right to modify these disclosures as permitted by law.
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21 A. WITNESSES

22 On information and belief, Galaxy provides the name and, if known, the address and
23 telephone number of each witness to be presented at trial:
24

25
26 1) Antonio Tan

27 c/o Kenneth Tanji, Jr.

28 WorldEsquire Law Firm LLP

Opposer's Pretrial Disclosures

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1 4) Momo Chen
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3

4
5 5) Patrick Wang
6 c/o attorney for Applicant
7

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9 B. DEPOSITION EXCERPTS TO BE PRESENTED AT TRIAL

10 Deposition of Momo Chen: pages 1-55.
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12 C. EXHIBITS TO BE OFFERED AT TRIAL
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Exhibit #	Exhibit
1	"Metal Gear" trademark registration documents
2	"Tune Gear" trademark registration documents
3	"Yukon Gear & Axle" trademark registration documents
4	"Pet Gear Inc." trademark registration documents
5	"Metal Shop" trademark registration documents
6	"Metal Gear" (video game) trademark registration documents
7	"Metal Gear" (flashlights) trademark registration documents
8	Cross-Complaint of Direct Access Technology, Inc.
9	Photo of Comp USA "Metal Gear" product
10	Exclusivity agreement between Datastor and Tech Depot, Inc.
11	Dictionary definition of "metal"

Opposer's Pretrial Disclosures

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Dictionary definition of "gear"

Respectfully submitted,

Dated: June 5, 2009

/ktanji/

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Opposer's Pretrial Disclosures

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CERTIFICATE OF SERVICE

The undersigned Attorney hereby certifies that a copy of the foregoing Opposer's Pretrial Disclosures was served on the Applicant by mailing a true copy thereof by first class mail, postage prepaid to the following address on June 5, 2009.

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/ktanji/

Kenneth Tanji, Jr.